

FISCAL NOTE
HB 56 – SB 948

April 4, 2007

SUMMARY OF BILL: Increases penalty for the Class A misdemeanor offense of child endangerment while driving under the influence from 30 days to a mandatory minimum 11 months and 29 days incarceration. Aggravated child endangerment remains a Class D felony when the child suffers serious bodily injury. Especially aggravated child endangerment remains a Class C felony when the death of a child results from the violation.

ESTIMATED FISCAL IMPACT:

Increase Local Govt. Expenditures* – Exceeds \$1,000,000
Increase Local Govt. Revenues – Not Significant

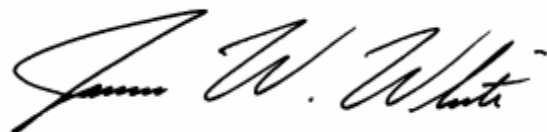
Assumptions:

- Pursuant to Tenn. Code Ann. § 55-10-403, if a person is convicted of DUI while accompanied by a child under the age of 18 and the child suffers serious bodily injury, the offense is punishable as a Class D felony. If the child is killed as a result of such violation, the offense is punishable as a Class C felony.
- No increase in incarceration costs under the proposed bill.
- Increasing the mandatory minimum sentence from 30 days in jail to 11 months and 29 days will result in an increase in local government expenditures.
- Sixty-six persons will receive an increased sentence from 30 days to 11 months and 29 days. At an average daily cost of \$47.34 per day for 364 days (\$47.34 x 66 x 364 days) the increase in local government expenditures is estimated to exceed \$1,000,000.
- Under current law, the minimum mandatory fine is \$1,000. The proposed bill does not increase this minimum mandatory fine; therefore any increase in local government revenues is estimated to be not significant.

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director